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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAROL GARRETT, an individual,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, a foreign
Corporation; DOES I through X, inclusive; and
ROE CORPORATIONS I through X, inclusive,

Defendants.

Case No.: 2:24-cv-02090-GMN-BNW

**JOINT PROPOSED DISCOVERY PLAN
AND SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE WITH
LR 26-1(b)**

Plaintiff Carol Garrett ("Plaintiff"), by and through her counsel of record, the law firms MAIER
GUTIERREZ & ASSOCIATES and POMPONIO INJURY LAW, LLC, and defendant State Farm Mutual
Automobile Insurance Company ("Defendant"), by and through its counsel of record, the law firm of

LEWIS BRISBOIS BISGAARD & SMITH LLP, hereby submit this proposed joint discovery plan and scheduling order.

FRCP 26(f) Conference. On November 20, 2024, William A. Gonzales II, Esq., as counsel for Plaintiff, and Frank Toddre II, Esq., as counsel for Defendant, participated in a discovery and scheduling conference (the “Conference”) to discuss all of the issues required by Federal Rule Civil Procedure 26(f).

FRCP 26(a) Initial Disclosures. The parties do not require any changes in the timing, form, or requirement for disclosures under Rule 26(a). The parties’ initial disclosures will be made by **December 27, 2024**, in light of the upcoming holiday season.

The parties now propose the following discovery plan:

1. **Discovery Cut-Off Date:** The proposed cut-off date for discovery shall be **July 18, 2025**, 240 days¹ from the date of the FRCP 26(f) Conference.

2. **Amending the Pleadings and Adding Parties:** All motions to amend the pleadings or to add parties shall be filed no later than **April 17, 2025**, ninety (92) days prior to the proposed close of discovery.²

3. **Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):** Disclosures concerning initial experts shall be made by **May 19, 2025**, sixty (60) days before the proposed discovery cut-off date. Disclosures concerning rebuttal experts shall be made by **June 18, 2025**, thirty (30) days after the initial disclosure of experts.

4. **Dispositive Motions:** The date for filing dispositive motions shall not be later than **August 18, 2025**, thirty-one (31)³ days after the proposed discovery cut-off date. In the event

¹ Due to the upcoming holidays and potential scheduling delays, we kindly request additional time and an extension of the standard deadlines to ensure everything is managed appropriately.

² The original deadline would be 90 days before the discovery date. However, since the 90th day falls on a Saturday, we are extending it to 92 days so that the deadline lands on the following Monday.

³ The original deadline would be 30 days after the discovery date. However, since the 30th day falls on a Sunday, we are extending it to 31 days so that the deadline lands on the following Monday.

that the discovery period is extended from the discovery cut-off date set forth in this proposed discovery plan and scheduling order, the date for filing dispositive motions shall be extended to be not later than thirty (30) days from the subsequent discovery cut-off date.

5. **Pretrial Order:** The date for filing the joint pretrial order shall not be later than ~~August 19, 2024~~ ^{September 19, 2025}, thirty (30) days after the cut-off for filing dispositive motions. In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until thirty (30) days after the decision on the dispositive motions or until further order of the court. In the further event that the discovery period is extended from the discovery cut-off date set forth in this discovery plan and scheduling order, the date for filing the joint pretrial order shall be extended in accordance with the time periods set forth in this paragraph.

6. **Fed. R. Civ. P. 26(a)(3) Disclosures:** The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections hereto, shall be included in the joint pretrial order.

7. **Alternative Dispute Resolution:** The parties discussed the possibility of mediation and arbitration and will continue those discussions as appropriate as the case continues. The parties also agree to participate in the anticipated ENE when it is scheduled.

8. **Alternative Forms of Case Disposition:** The parties have discussed the possibility of trial by the magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73 and the use of the Short Trial Program and agree that this case is properly suited before the District Judge.

9. **Electronic Evidence:** The parties do not at this time anticipate any issues about disclosures or discovery of electronically stored information, if any, including the form or forms in which it should be produced. The parties shall meet and confer and otherwise work in good faith with respect to the production of electronically stored information should any dispute arise, and any stipulations reached regarding providing discovery in an electronic format shall be compatible with the Court's electronic jury evidence display system.

10. **Extensions or Modifications of the Discovery Plan and Scheduling Order:** Any stipulation or motion must be made pursuant to LR 26-4 and be supported by a showing of good cause, no later than twenty-one (21) days before the subject deadline.

11. **Subjects of Discovery.** Unless otherwise limited by subsequent stipulations

1 and/or orders of this Court, the parties agree that discovery may be taken on any subjects permitted
2 by the Federal Rules of Civil Procedure.

3 12. **Discovery Phases.** The parties do not believe it is necessary to conduct
4 discovery in phases.

5 13. **Document Production.** All documents produced in this action will be
6 delivered as either hardcopy documents or Portable Document Format (“PDF”) images unless the
7 requesting party specifically requests that any responsive electronic documents be produced in native
8 format.

9 14. **Written Discovery.** The parties mutually agree to provide Word versions of
10 any propounded written discovery requests to the responding party so as to facilitate the process of
11 providing responses.

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15. **Protective Orders For Privileged, Trial-Preparation, and Confidential Documents And/Or Information.** The parties have discussed the need for a protective order for privileged, trial preparation, and confidential documents and/or information and will be working together to agree on the terms of a stipulated protective order if needed.

DATED this 12th day of December 2024.

MAIER GUTIERREZ & ASSOCIATES

/s/ William A. Gonzales

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DATED this 12th day of December 2024.

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/s/ Frank A. Toddre, II

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IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: December 13, 2024
